

icans with Disabilities Act of 1990 (42 U.S.C. 12141) or provides public school transportation (to and from public or private primary, secondary, or tertiary schools); and

(B)(i) is owned or operated by a public entity;

(ii) is operated under a contract with a public entity; or

(iii) is operated pursuant to a license by the Secretary or a State agency to provide motorbus or school vehicle transportation services to the public.

(5) STATE AGENCY.—

(A) IN GENERAL.—The term “State agency”, as used with respect to a HOV facility, means an agency of a State or local government having jurisdiction over the operation of the facility.

(B) INCLUSION.—The term “State agency” includes a State transportation department.

(Added Pub. L. 109–59, title I, §1121(a), Aug. 10, 2005, 119 Stat. 1192; amended Pub. L. 110–244, title I, §101(p), June 6, 2008, 122 Stat. 1576.)

REFERENCES IN TEXT

The date of enactment of this section, referred to in subsec. (e), is the date of enactment of Pub. L. 109–59, which was approved Aug. 10, 2005.

AMENDMENTS

2008—Subsec. (b)(5)(C). Pub. L. 110–244 substituted “paragraph (4)” for “paragraph (3)”.

[§§ 181 to 190. Renumbered §§ 601 to 610]

CODIFICATION

Subchapter II heading “INFRASTRUCTURE FINANCE” was struck out and sections 181 to 190, which comprised subchapter II of this chapter, were renumbered sections 601 to 610, respectively, and transferred to follow the analysis of chapter 6 of this title, by Pub. L. 109–59, title I, §1602(b)(6)(B), (d), Aug. 10, 2005, 119 Stat. 1247, as amended by Pub. L. 110–244, title I, §101(f), June 6, 2008, 122 Stat. 1574.

CHAPTER 2—OTHER HIGHWAYS

Sec.	
201.	Authorizations.
202.	Allocations.
203.	Availability of funds.
204.	Federal lands highways program. ¹
205.	Forest development roads and trails.
206.	Recreational trails program.
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210.	Defense access roads.
[211.	Repealed.]
212.	Inter-American Highway.
[213.	Repealed.]
214.	Public lands development roads and trails.
215.	Territorial highway program.
216.	Darien Gap Highway.
217.	Bicycle transportation and pedestrian walkways.
218.	Alaska Highway.
[219.	Repealed.]

AMENDMENTS

2005—Pub. L. 109–59, title I, §1118(b)(3), Aug. 10, 2005, 119 Stat. 1181, substituted “Territorial highway program” for “Territories highway development program” in item 215.

1998—Pub. L. 105–178, title I, §1112(b), June 9, 1998, 112 Stat. 151, substituted “Recreational trails program” for “Repealed” in item 206.

¹ So in original. Does not conform to section catchline.

1987—Pub. L. 100–17, title I, §133(e)(1), Apr. 2, 1987, 101 Stat. 173, struck out items 211 “Timber access road hearings”, 213 “Rama Road”, and 219 “Safer of off-system roads”.

1983—Pub. L. 97–424, title I, §126(e)(1), Jan. 6, 1983, 96 Stat. 2115, substituted “Allocations” for “Apportionment for allocation” in item 202.

Pub. L. 97–424, title I, §126(e)(2), Jan. 6, 1983, 96 Stat. 2115, substituted “Federal lands highways programs” for “Forest highways” in item 204.

Pub. L. 97–424, title I, §126(e)(3), Jan. 6, 1983, 96 Stat. 2116, substituted “Repealed” in items 206 through 209 which read “Park roads and trails”, “Parkways”, “Indian reservation roads”, “Public lands highways”, respectively.

1976—Pub. L. 94–280, title I, §135(b), May 5, 1976, 90 Stat. 442, substituted item 219 “Safer of off-system roads” for “Off-system roads”.

1975—Pub. L. 93–643, §122(b), Jan. 4, 1975, 88 Stat. 2290, added item 219.

1973—Pub. L. 93–87, title I, §§124(b), 127(a)(2), Aug. 13, 1973, 87 Stat. 262, 264, added items 217 and 218.

1970—Pub. L. 91–605, title I, §§112(b), 113(b), Dec. 31, 1970, 84 Stat. 1721, 1722, added items 215 and 216.

1962—Pub. L. 87–866, §6(c), Oct. 23, 1962, 76 Stat. 1147, added item 214.

§ 201. Authorizations

The provision of this title shall apply to all unappropriated authorizations contained in prior Acts, and also to all unexpended appropriations heretofore made, providing for the expenditure of Federal funds on the following classes of highways: Forest highways, forest development roads and trails, park road, parkways, Indian reservation roads, refuge roads, public lands highways, and defense access roads. All such authorizations and appropriations shall continue in full force and effect, but hereafter obligations entered into and expenditures made pursuant thereto shall be subject to the provisions of this title.

(Pub. L. 85–767, Aug. 27, 1958, 72 Stat. 906; Pub. L. 97–424, title I, §126(f), Jan. 6, 1983, 96 Stat. 2116; Pub. L. 105–178, title I, §1115(e)(1), June 9, 1998, 112 Stat. 158.)

AMENDMENTS

1998—Pub. L. 105–178 inserted “refuge roads,” after “Indian reservation roads.”.

1983—Pub. L. 97–424 substituted “park road” for “park roads and trails” after “forest development roads and trails.”.

§ 202. Allocations

(a) ALLOCATION BASED ON NEED.—

(1) IN GENERAL.—On October 1 of each fiscal year, the Secretary shall allocate sums authorized to be appropriated for the fiscal year for forest development roads and trails according to the relative needs of the various national forests and grasslands.

(2) PLANNING.—The allocation under paragraph (1) shall be consistent with the renewable resource and land use planning for the various national forests.

(b) ALLOCATION FOR PUBLIC LANDS HIGHWAYS.—

(1) PUBLIC LANDS HIGHWAYS.—

(A) IN GENERAL.—On October 1 of each fiscal year, the Secretary shall allocate 34 percent of the sums authorized to be appropriated for that fiscal year for public lands highways among those States having unap-